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United States of America

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARY LEE BRIGGS,

Defendant.

Case No: 1:20-CR-00041-NONE-SKO

STIPULATION BETWEEN THE UNITED STATES
AND DEFENDANT REGARDING PRODUCTION
OF PROTECTED INFORMATION AND
PROTECTIVE ORDER

Ctrlm: 7

Hon. Sheila K. Oberto

This case involves charges related to the sexual exploitation of minors. The discovery in this case contains private personal information related to the defendant and third parties (both adults and minors), including but not limited to their names, dates of birth, physical descriptions, telephone numbers, otherwise private social media postings, and/or residential addresses as well as images of victims.

The parties desire to avoid both the necessity of large-scale redactions and the unauthorized disclosure or dissemination of this information to anyone not a party to the court proceedings in this matter, so the parties agree that entry of a protective order would be appropriate and facilitate the expeditious exchange of information about the case.

1 As a result, defendant Gary Lee Briggs, by and through his counsel of record, Mark Broughton
2 (defense counsel), and the United States of America, by and through Assistant United States Attorney
3 David Gappa, agree as follows:

4 1. This court may enter a protective order under Rule 16(d) of the Federal Rules of Criminal
5 Procedure, and the court's general supervisory authority.

6 2. The protective order will cover all discovery provided to or made available to defense
7 counsel as part of discovery in this case.

8 3. By signing this stipulation and protective order, defense counsel agrees not to share any
9 documents that contain protected information with anyone other than defense counsel's associated
10 attorneys, designated defense investigator(s), designated defense expert(s), and/or support staff. Defense
11 counsel may permit the defendant to view unredacted documents in the presence of his attorney(s), defense
12 investigator(s), and/or support staff. The parties agree that defense counsel, defense investigator(s), and
13 support staff shall not allow the defendant to copy or record protected information contained in the
14 discovery. The parties agree that defense counsel, defense investigator(s), and support staff may provide
15 the defendant with copies of documents, if any, from which protected information has first been redacted.

16 4. The discovery and information within it may be used only in connection with the litigation
17 of this case and for no other purpose. The discovery is now and will always remain the property of the
18 United States of America (the government). Defense counsel will return the discovery to the government
19 at the conclusion of the case. Alternatively, defense might can destroy all copies, including electronic
20 copies, at the conclusion of counsel's representation.

21 5. Defense counsel will store the discovery in a secure place and will use reasonable care to
22 ensure that it is not disclosed to anyone in violation of this agreement.

23 6. Defense counsel shall be responsible for advising the defendant, employees, and other
24 members of the defense team, and defense witnesses of the contents of this stipulation and order.

25 7. In the event that defendant substitutes counsel, undersigned defense counsel agrees to
26 withhold discovery from new counsel and to return any discovery provided to the government.

1 8. The government will make digital evidence (including contraband) available within the
2 confines of the Homeland Security Investigations office in downtown Fresno, California. The digital
3 evidence (contraband) shall not be viewed by any other person unless defense counsel is present and the
4 viewing is necessary to prepare for defendant=s defense. Arrangements for reviewing that material can
5 be made through HSI Special Agent Monique Jacques at 559-351-1019. Neither defense counsel nor any
6 representative of defense counsel will remove any contraband from the custody or control of the law
7 enforcement agency.

8
9 IT IS SO STIPULATED.

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11 Date: March 31, 2022

/s/ Mark Broughton
Mark Broughton
Attorney for defendant
Gary Lee Briggs

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13
14 Date: March 31, 2022

PHILLIP A. TALBERT
United States Attorney

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16 By: /s/ David Gappa
David Gappa
Assistant U.S. Attorney

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19 IT IS SO ORDERED.

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21
22 Date: 3/31/2022

/s/ Sheila K. Oberto
HON. SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE